

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF TENNESSEE

NIKKI BOLLINGER GRAE, Individually and	)	Civil Action No. 3:16-cv-02267
on Behalf of All Others Similarly Situated,	)	
	)	Honorable Aleta A. Trauger
Plaintiff,	)	
	)	JOINT SUBMISSION REGARDING
vs.	)	REVISED CASE MANAGEMENT ORDER
	)	
CORRECTIONS CORPORATION OF	)	
AMERICA, et al.,	)	
	)	
Defendants.	)	
_____	)	

Lead Plaintiff Amalgamated Bank, as Trustee for the LongView Collective Investment Fund (“Plaintiff”), and Defendants CoreCivic, Inc., formerly known as Corrections Corporation of America (“CoreCivic” or the “Company”), Damon T. Hininger, David M. Garfinkle, Todd J. Mullenger and Harley G. Lappin (collectively, “Defendants”), submit the following Joint Submission Regarding Revised Case Management Order.

On March 26, 2019, the Court granted Plaintiff’s Motion to Certify Class. Dkt. No. 166. Thereafter, on April 9, 2019, pursuant to Rule 23(f) of the Federal Rules of Civil Procedure, Defendants timely filed a petition for permission to appeal the Court’s certification of the class with the Sixth Circuit Court of Appeals. On April 18, 2019, the Court ordered that party-related fact discovery be stayed for 60 days and that “prior to the expiration of the stay, the parties shall jointly file a revised Proposed Case Management Order.” Dkt. No. 169.

Pursuant to the Court’s April 18, 2019 Order, on June 14, 2019, the parties filed a joint submission requesting that party-related fact discovery in the case remain stayed through the earlier of (i) 45 days or (ii) the date that the Sixth Circuit denies Defendants’ Rule 23(f) petition. Dkt. No. 170. That same day, the Court ordered “that the stay imposed by the Order entered April 18, 2019 (Docket No. 169) shall remain in effect until the earlier of 45 days from the entry of this Order or the date that the Sixth Circuit Court of Appeals denies the defendants’ Rule 23(f) Petition.” Dkt. No. 171.

The Sixth Circuit has not ruled on Defendants’ Rule 23(f) petition as of the date of this submission. The parties have met and conferred and agree that, given the Court’s previous Orders staying party-related discovery, party-related<sup>1</sup> fact discovery in the case should remain stayed through the earlier of (i) 30 days from the date hereof or (ii) the date that the Sixth Circuit denies Defendants’ Rule 23(f) petition. The parties further agree that they will file another joint

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<sup>1</sup> Consistent with the Court’s April 18 and June 24, 2019 Orders, the parties agree that outstanding third-party discovery may proceed during the stay.

submission (i) prior to the expiration of the 30-day stay period or, (ii) in the event that the Sixth Circuit issues a decision on the Rule 23(f) petition earlier than the expiration of the 30-day stay period, within seven days of that decision. Accordingly, the parties respectfully request that the Court enter an order to this effect.

DATED: July 26, 2019

Respectfully submitted:

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*/s/ Christopher M. Wood*

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Respectfully submitted:

/s/ Steven A. Riley

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**CERTIFICATE OF SERVICE**

I hereby certify a true and correct copy of the foregoing document was served upon the following Filing Users through the Electronic Filing System:

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this 26th day of July, 2019.

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